

REMARKS:

Claims 1-25 are in the case and presented for consideration.

The specification and claims have been amended throughout to improve their form and to correct the spelling of the word "mold" in its various forms, to American-English usage.

The rest of the specification has also been corrected where needed to improve its disclosure and a new set of formal drawings are attached to this amendment which the Examiner is respectfully requested to review and, if acceptable, indicate their acceptability.

The claims have also been amended with respect to form and, as will be noted below, with respect to substance.

By this amendment thus the application and claims are believed to be in proper form under 35 U.S.C. 112, first and second paragraphs.

The Examiner has rejected claims 1, 2 and 4-25 as being fully anticipated by U.S. patent 6,042,608 to Ishikawa et al.

Although the previously submitted method claims were also rejected these claims have been cancelled to simplify the prosecution of this application.

For the Examiner's information, two additional copending applications owned by the same entity, Victoria's Secret Stores, Inc., sharing at least some of the inventors and directed to different aspects of the same technologies are on file. These are application number 10/911,269 filed April 4, 2005 and application number 11/054,185, filed February 9, 2005 and consolidating the subject matter of the present application and application 10/911,269. Also and again for the Examiner's information a PCT application containing the corresponding subject matter of all three pending U.S. applications was also filed on March 3, 2005 and has application number PCT/US2005/06893.

Returning now to the claims now presented, claim 1 has been amended to limit the invention to a gel-free molded breast cup. This language is meant specifically to exclude silicone gel containing breast forms which are commonly used in prosthetic bras as would be the case in Ishikawa.

Claim 1 has also been amended to incorporate some features formally introduced in claim 4, specifically the fact that the zone of greater thickness is located where the nipple of a wearer of a brassiere incorporating the breast cup would be located.

This language was meant to specifically focus the claims on the gist or essence of the present invention which, as explained for example in the specification at page 10 lines 17-20, reduces the likelihood that the nipple of the wearer can be observed through the bra incorporating the breast cup.

By using an increased thickness of foam in this critical central area of the breast cup while reducing the thickness elsewhere in the breast cup, the lightest possible bra results while still reducing the likelihood that the nipple of the wearer will be visible. Normally a thinly constructed bra would not provide this coverage. Only thicker bras would produce this covering effect but also would have the disadvantage of a thick cumbersome garment.

The present invention has also achieved considerable commercial success and acceptance in the field. This technology is incorporated in the IPEX (a trademark) brand line of bras being sold by Victoria's Secret.

While the increased thickness in the nipple area zone of the breast cup of the claimed invention reduces the likelihood that the nipple will be observed, this area is also generally of increased density (see claim 4 as amended) and this too enhances the modesty feature of the present invention while again not greatly increasing the overall thickness of the product.

The remaining claims define other structures of the invention which also enhance its advantage over the prior art and are believed to further distinguish the invention over Ishikawa and the prior art in general.

By this amendment thus, the application and claims are believed to be in condition for allowance and favorable action is respectfully requested.

In view of the importance of this patent application to the applicant, the Examiner is respectfully urged to telephone the undersigned at the telephone number listed below to discuss this case further and hopefully reach a conclusion to the prosecution thereof.

Respectfully submitted,



Peter C. Michalos
Reg. No. 28,643
Attorney for Applicants
(845) 359-7700

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NOTARO & MICHALOS P.C.
100 Dutch Hill Road, Suite 110
Orangeburg, New York 10962-2100

Customer No. 21706

IN THE DRAWINGS:

Please replace the drawings originally filed with the attached set of replacement sheets which have been appropriately labeled and which have been corrected at Fig. 4 to refer to section line 9-9 and to improve the quality of the reference numerals throughout.